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NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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EX PARTE

July 31, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CS Docket No. 97-80 and PP Docket No. 00-67

Dear Ms. Dortch:

On July 30, 2003, Paul Glist from the law firm of Cole, Raywid & Braverman, and I had a telephone conversation with Stacy Robinson, Media Legal Advisor to Commissioner Abernathy, to respond to questions she had concerning the Agreement reached by cable MSOs and CE manufacturers in December 2002 on cable-consumer electronics compatibility issues. Some provisions of the Agreement are the subject of a pending Notice of Proposed Rulemaking in the above-referenced dockets.

During our conversation, we discussed why the rules proposed by the parties to implement the Agreement needed to be adopted by the FCC in their entirety and that deferring action on the encoding rules (or any other of the proposed rules) would disserve the public interest. We noted that the rules which are the subject of the current FCC proceeding form the basis for on-going negotiations over bidirectional (interactive) DTV products and these negotiations would be seriously hampered – if not halted – without FCC action on all of the pending proposals. We also explained that, by applying the same encoding rules to all MVPDs, the rules would enable cable operators to provide their customers high value digital content that they might otherwise not be able to obtain.

The discussion otherwise reflected comments filed by the National Cable & Telecommunications Association in the above-referenced dockets.

Respectfully submitted,

Neal M. Goldberg

cc: Stacy Robinson